

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BRIAN BRENNAN AND SUZANNE BRENNAN,

Plaintiffs,

-against-

THE CITY OF NEW YORK, CORRECTION OFFICER
DARIUS MCLEAN (Shield 15323) and JOHN & JANE
DOES 1-10,

Defendants.

**SUGGESTION OF DEATH
UPON THE RECORD
UNDER RULE 25(A)(1)**

07 CV 11197 (RJS)

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PLEASE TAKE NOTICE that pursuant to Rule 25 of the Federal Rules of Civil Procedure, the Corporation Counsel's Office of the City of New York, affirms the truth of the following:

On August 14, 2008, Assistant Corporation Counsel David M. Pollack was informed by Joel Berger, Esq. that his client Brian Brennan passed away "last week".

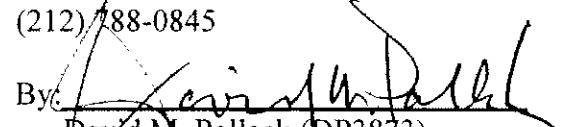
Upon information and belief, to date, no executor or administrator has been appointed on plaintiff Brian Brennan's behalf;

WHEREFORE, the Corporation Counsel's Office of the City of New York suggests upon the record that plaintiff Brian Brennan is deceased; and

WHEREFORE, the Corporation Counsel's Office of the City of New York hereby requests that any motion for substitution of a proper party be timely made within ninety (90) days of this date.

Dated: New York, New York
August 26, 2008

MICHAEL A. CARDODOZ
Corporation Counsel of the
City of New York
Attorney for Defendants
100 Church Street
New York, New York 10007
(212) 788-0845

By: 
David M. Pollack (DP3873)
Assistant Corporation Counsel

TO: Joel Berger, Esq. (By ECF)
360 Lexington Avenue, 16th Floor
New York, New York 10017

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MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for the Defendants
100 Church Street
New York, N.Y. 10007
Of Counsel: David M. Pollack
Tel: (212) 788-1894

Due and timely service is hereby admitted.

New York, N.Y., 2008....

..... Esq.

Attorney for.....